

HIGH COURT OF GUJARAT AT AHMEDABAD

MISC. CIVIL APPLICATION NO. 847 OF 1993.

Date of decision:7.12.1995.

For approval and signature

The Honourable Mr. Justice S.M.Soni

and

The Honourable Mr. Justice R.R.Jain

Mr. G.M. Joshi, advocate for petitioner.

Mr. Y.N. Oza, advocate for respondent.

1. Whether Reporters of Local Papers may be allowed to see the judgment?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of judgment?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 or any order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

Coram: S.M.Soni & R.R.Jain, JJ.

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December 7, 1995.

Oral judgment (Per Soni, J.)

Petitioner has filed this application for taking necessary action under the Contempt of Courts Act alleging that respondent has not complied with the award passed by the Labour Court. In view of the judgment of the Supreme Court in the case of the Alahar Co-operative Credit Service Society v. Sham Lal, reported in 1995 (2)

GLH 550, Labour Court is not a court subordinate to High Court as contemplated under Section 10 of the Contempt of Courts Act. Hence, this petition is not maintainable and is liable to be dismissed and is hereby dismissed. Rule discharged. No costs.